

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA :

:

DN: 7:17CR419 (KMK)

V. :

:

:

June 5, 2018

:

LEIBYS MERCEDES :

:

DEFENDANT’S MOTION TO STRIKE SUPERSEDING INDICTMENT

The Defendant, LEIBYS MERCEDES, through undersigned counsel, respectfully moves to strike the Superseding Indictment filed by the government on June 5, 2018 or in the alternative, to grant him a continuance of trial. A memorandum in support of this application is filed herewith and made a part hereof.

WHEREFORE, for the foregoing reasons, the defendant respectfully requests that

the Court strike the Superseding Indictment or grant a continuance of trial.

RESPECTFULLY SUBMITTED,

THE DEFENDANT,
LEIBYS MERCEDES

BY___/s/ Bruce D. Koffsky____
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CERTIFICATION

THIS IS TO CERTIFY that on June 5, 2018 a copy of the foregoing was filed electronically [and served by mail on anyone unable to accept electronic filing]. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

____/s/ Bruce D. Koffsky____
Bruce D. Koffsky